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4. Title of material, if any THE ONLY WAY TO MAKE PEACE IN THE MIDDLE EAST		5. Name of foreign principal on whose behalf this material was transmitted. ARAB HIGHER COMMITTEE FOR PALESTINE
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THE ONLY WAY TO MAKE PEACE IN THE MIDDLE EAST

Memorandum

Submitted To:

The heads of States and the Ministers
of Foreign Affairs of United Nations
Members.

By

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Chairman, Palestine Arab Delegation

February 19, 1993

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THE ONLY WAY TO MAKE PEACE IN THE MIDDLE EAST

The present peace process in the Middle East, namely, the negotiations between the Palestinians, the Syrians, the Jordanians, and the Lebanese on the one hand and the Israelis on the other may take ten years and ultimately will fail, unless negotiations are made under the auspices of the five permanent members of the Security Council and in accordance with International Law and the United Nations resolutions adopted on the Middle East problems since 1947.

Israel was dragged into these negotiations while it is not interested in making peace. Israel has no intention of withdrawing from the Arab territories it occupied in 1967. Israel has no intention to settle the Palestine problem which it created by occupying 80% of Palestine in 1948, and by occupying the remaining 20% of Palestine in 1967. Israel is not willing to abide by the principles of International Law and Justice or the principles established by United Nations resolutions. Israel is an occupier and is relying on the fait accompli, the rule of force and United States support.

Israel has usurped all the homes, lands and properties of the Palestinians in 12 cities and 625 villages during the period from 1948 to 1967 in 80% of Palestine and has no intention of returning these usurped homes, lands and properties to their Palestinian rightful owners. Since 1967 Israel has usurped 65% of the Palestinian lands in the West Bank and Gaza and 95% of their water resources. It established 203 Jewish settlements on these usurped Palestinian lands. It transferred 150,000 Israelis to these settlements and settled 250,000 Israelis in settlements in the City of Jerusalem and its suburbs. It destroyed the economy of the Palestinians. It turned landowners and farmers into labourers and robbed the water, leaving Palestinian farmers without water. It destroyed Palestinian farms and Palestinian industries.

Since the beginning of the Intifada in 1989, Israel has committed, and is still committing, the following War Crimes, Crimes Against Humanity and Genocide against the Palestinians:

(a) It is keeping 15,320 Palestinian men, women and juveniles in concentration camps and prisons. These prisoners are tortured and subjected to the most inhuman treatment similar to the Nazi treatment of Jews and non-Jews during the Nazi occupation of Europe.

(b) Israeli forces until the end of January, 1993, murdered 1,150 Palestinians amongst whom were more than 250 children, their ages ranging from 3 to 17 years. It injured more than 130,000 Palestinians, many of them were maimed for life. It destroyed and cut more than 130,000 olive and fruit trees. It imposed curfews on many communities of more than 11,500 hours. It destroyed or sealed more than 1,250 houses, thereby rendering more than 10,000 people homeless. Last week Israeli forces evacuated 20 families from their homes in the Gaza Strip and destroyed these homes by rockets and tank missiles. Israeli soldiers entered these homes and destroyed furnitures, refrigerators, televisions and food stuff. Their last crime was the expulsion of the 410 Palestinians to the Southern part of Lebanon. These expellees are from the West Bank and Gaza. Many of them are doctors, lawyers, engineers, teachers, farmers, religious leaders and businessmen. Israel refused and still refuses to abide by the Security Council resolution 799 and return these expellees to their homes and families.

Unfortunately, the United States administration used its clout in the United Nations and with some Arab governments to frustrate and impede the implementation of this resolution. Mr. Yitzhak Rabin declared that due to his agreement with the Clinton administration, this matter has been closed.

The policy of the United States whether during the Reagan, Bush or Clinton administration has been an obstacle to peace in the Middle East. The United States rewards Israel annually with five billion dollars in military, economic and financial aid. It votes in the General Assembly alone with Israel against resolutions supported by 140 members, and uses its veto to shield Israel from any meaningful measures to deter it from committing the War Crimes, Crimes Against Humanity and Genocide against the Palestinians. The United States pretends to be a sponsor of the peace process as a mediator while its policy make Israel more extreme and encourages Israel not to abide by the principles of the International Law and Justice, or the principles laid down by United Nations resolutions.

ISRAEL MUST WITHDRAW FROM THE
OCCUPIED TERRITORIES

No negotiations will be fruitful as long as Israel occupies the West Bank and Gaza, the Golan Heights, the southern part of Lebanon and a part of the Jordanian territory. Therefore, the first step which will guarantee the success of these negotiations is the withdrawal of the Israeli armed forces and civilians from all the occupied Arab territories to the boundaries established by the Armistice Agreements of 1949 which were confirmed by the Security Council Resolution

1947 - 1950 and compensation for the private property which cannot be restituted. Under international law private property is sacred and, therefore, Israel is under legal and moral obligation to restitute to Palestinians all their private properties or compensate them for those properties that cannot be restituted. Israel obtained compensation from Germany exceeding \$30 billion, and at present requesting restitution of, or compensation for, private Jewish properties which were usurped in all European countries.

(e) The implementation of the General Assembly Resolution 194 (III) and other United Nations resolutions regarding the return of Palestinian refugees who must be given the option to return to their homes, or not to return, and be compensated.

(f) Mutual security of Israel and the Palestine state.

(g) Economic cooperation between Israel and the Palestinian state. If the United States and Israel want to solve the Palestine problem, this is the only way which will bring peace, security and prosperity to the Middle East.

ISSUES TO BE SETTLED BETWEEN ISRAEL, SYRIA, LEBANON AND JORDAN

The issues which must be settled between Israel, Syria, Lebanon and Jordan are the following:

(a) The demarcation of boundaries.

(b) Compensation for the occupation of parts of these three Arab countries and the destruction of Arab towns and villages in the occupied territories.

(c) The destruction of chemical, biological and nuclear weapons in these countries.

The solutions of the problems between Israel on the one hand and the Palestinians, Syrians, Lebanese and Jordanians on the other, must be comprehensive and must be agreed to, and signed, in one peace conference under the auspices of the United Nations.

The position of the European community from 1967 until today was stated by Foreign Minister O'Kennedy of Ireland in his statement before the United Nations General Assembly on September 25, 1979, as being based on the following principles:

"(i) The inadmissibility of the acquisition of territory by force;

"(ii) The need for Israel to end the territorial occupation

which it has maintained since the conflict of 1967;

"(iii) Respect for the sovereignty, territorial integrity and independence of every state in the area and their right to live in peace within secure and recognized boundaries;

"(iv) Recognition that in the establishment of a just and lasting peace account must be taken of the legitimate rights of the Palestinians.

"The Nine note these recent developments and recall that one of the basic requirements of a comprehensive settlement is an end to the territorial occupation which Israel has maintained since the conflict of 1967.

"The Nine are opposed to the Israeli Government's policy of establishing settlements in occupied territories in contravention of international law; and they cannot accept claims by Israel to sovereignty over occupied territories, since this would be incompatible with Resolution 242."

The United States should join hands with the other permanent members of the Security Council to solve the Middle East problems on the above principles. This is the only way to bring permanent peace, justice, security and prosperity to the Middle East.



Issa Nakhleh

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